

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: To Be Assigned Art Unit: To Be Assigned
Re: Application of: **Joseph C. DINARDO et al.**
Serial No.: To Be Assigned
Filed: Herewith
For: **METHOD AND PREPARATION FOR
REDUCING SUNBURN CELL FORMATION IN
SKIN**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 14, 2004

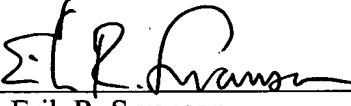
Sir:

In accordance with the provisions of 37 C.F.R. § 1.97, Applicant hereby makes of record the documents listed on the accompanying PTO-1449 Form (1 page) for consideration by the Examiner in connection with the examination of the above-identified patent application. While the references are being submitted herewith, some or all of the references may not constitute prior art under the U.S. patent laws.

This Information Disclosure Statement is filed under 37 C.F.R. §1.97 (b), before the mailing date of a First Office Action, therefore no fee is believed due. In the event any additional fee is due in connection with this response or if any fee has been overpaid, the deficiency or overpayment should be charged to our Deposit Account No. 50-0552.

It is respectfully requested that the references cited in the accompanying PTO-1449 form be considered and made of record. It is respectfully submitted that the pending claims are patentable over all of the references made of record at this time.

Respectfully submitted,
DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 
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FORM PTO-1449 (REV. 7-80)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE							ATTY. DOCKET NO.: 5031.1001		SERIAL NO.: not yet assigned			
LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary)									APPLICANT(S): Joseph C. DINARDO et al.					
									FILING DATE: herewith		GROUP : not yet assigned			
U.S. PATENT DOCUMENTS														
*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBL CL ASS	FILING DATE IF APPROPRIATE	
	AA	5	9	1	6	9	2	5	Jun. 29, 99	Higuchi et al.	514	678		
	AB	5	0	5	9	6	2	7	Oct. 22, 91	Goto et al.	514	688		
	AC	4	4	3	6	7	5	3	Mar. 13, 84	Imada et al.	424	331		
	AD	4	2	4	8	8	6	1	Feb. 3, 81	Schutt	424	60		
	AE	4	1	4	4	3	2	5	Mar. 13, 79	Voyt	424	59		
	AF	6	1	3	2	7	3	7	Oct. 17, 2000	Wolf et al.	424	401		
	AG	5	2	4	3	0	6	4	Sep. 7, 93	Sabatelli	560	51		
FOREIGN PATENT DOCUMENTS														
		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
		0	7	8	8	7	9	3	Aug. 8, 97	EP - Europe			YES	NO
	AH	9	9	0	7	3	5	5	Feb. 18, 99	WO - WIPO			Abstract; discussed in specification	
	AJ	3	0	4	9	0	3	9	Mar. 13, 84	DE - Germany			corresponds to US 4,436,753	
	AK	9	4	2	0	0	6	8	Sep. 15, 94	WO - WIPO			in English	
	AL	0	1	0	3	6	5	7	Jan. 18, 01	WO-WIPO			Abstract; corresponds to Pending Application No. 10/030,842	
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)														
	AM	Schaffler et al. "Dose-effect Relationship of Idebenone in an Experimental Cerebral Deficit Model" 1998, pp. 720 - 726, in Arzneim.-Forsch. / Drug. Res. Nr. 7												
	AN	Schuetz et al. " Suppression of Leukocyte-Enhanced Cold Ischemia/Reperfusion Injury of Liver Endothelium with the Benzoquinone Antioxidant Idebenone" Dec., 1997, pp. 619-624, in Clinical Biochemistry, Vol. 30.												
	AO	Wieland et al. "Lipid hydroperoxide determination in serum by HPLC and iodometry" 1992, pp. 62-63, in Fresenius J. Anal Chem												
	AP	Michiels et al. "Cytotoxicity of linoleic acid peroxide, malondialdehyde and 4-hydroxynonenal towards human fibroblasts" 1991, pp. 225-234, in Toxicology												
	AR	Deflandre et al. "Photostability assessment of sunscreens. Benzylidene camphor and dibenzoylmethane derivatives" 1988, pp. 53-62, in International Journal of Cosmetic Science												
	AS	Yoshiki Miyachi " Skin diseases associated with oxidative injury" in Chapter 16 of "Oxidative Stress in Dermatology" 1993, pp. 323-331												
EXAMINER									DATE CONSIDERED					
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.														

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	BA											
	BB											
	BC											
	BD											
	BE											
FOREIGN PATENT DOCUMENTS												
		DOCUMENT NUMBER				DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
	BF	0	1	2	7	9	8	18	Nov. 10, 89	JP - Japan		Abstract; discussed in specification
	BG	1	1	1	1	6	4	70	Apr. 27, 99	JP - Japan		X
	BH	4	0	9	9	7	1	9	Mar. 31, 92	JP - Japan		Abstract
	BI											
	BJ											
	BK											
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)												
	BL	Thiele et al. "Depelition of Human Stratum Corneum Vitamin E: An Early and Sensitive In Vivo Marker of Induced Photo-Oxidation" 1998, pp. 756-761, in 'The Journal of Investigative Dermatology'										
	BM	Barkworth et al. "An Early Phase I Study to Determine th Tolerance, Safety and Pharmacokinetics of Idebone Following Multiple Oral Doses" 1985, pp. 1704-1707, in Arzneim.-Forsch./Drug Res. 1985										
	BN	Voelckel et al. "Vorkommen und Phot-Isomerisierung der Urocanase im stratum corneum bei polymorpher Lichtdermatose (PLD). Vergleichende Untersuchung bei PLD-Patienten und Hautgesunden" 1989, pp. 1-15, in Zentralblatt Haut- und Geschlechtskrankheiten" (see application text for English description)										
	BO	Kaidbey et al. "Topical Glycolic Acid enhances Photodamage by Ultraviolet Light" Feb. 2003, 19(1), pp. 21-27, in Photodermatology, Photoimmunology & Photomedicin										
	BP	Neudecker et al., Pending Application No. 10/030,842, entitled "Topically Applied Idebenone-Containing Agent with Protective and Regenerative Effect", filed January 9, 2002; Attorney Docket No. 5006.1001										
	BR											
	BS											
	BT											
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